

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

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|--------------------------------|---|-------------------------|
| In re: | § | Chapter 11 |
| | § | |
| PASO DEL NORTE MATERIALS, LLC, | § | Case No. 23-30252-hcm11 |
| | § | |
| Debtor. | § | |

**LIMITED OBJECTION OF 1ST SOURCE BANK TO DEBTOR'S
EMERGENCY MOTION FOR AUTHORIZATION TO SELL FOUR
RANCO END-DUMP TRAILERS FREE AND CLEAR OF LIENS**

1st Source Bank ("1st Source") files this objection (the "Objection") to the *Debtor's Emergency Motion for Authorization to Sell Four Ranco End-Dump Trailers Free and Clear of Liens* (the "Emergency Sale Motion") and respectfully represents as follows:

1. On July 20, 2023, the Debtor filed the Emergency Sale Motion. The Emergency Sale Motion seeks payment from the sale proceeds of attorney's fees and expenses to Debtor's counsel in the amount of \$8,000.

2. 1st Source does not object to the sale of the end-dump trailers. However, 1st Source does object to the Debtor's improper request for payment of attorney's fees from the proceeds. Specifically, the Debtor has not identified a statutory or other basis which entitles the Debtor to payment of \$8,000 in attorney's fees from the sale proceeds. 1st Source believes that no such justification exists and if it does exist the Debtor is required to file a motion identifying the justification for the payment and seeking specific relief therefor.

3. Although 1st Source has received payments from the Debtor as a result of certain asset sales, 1st Source has not received any monthly payments from the Debtor for nearly a year.

WHEREFORE, 1st Source respectfully requests the Court (i) deny the Debtor's request to pay its counsel \$8,000 in fees from the proceeds of the sale, and (ii) grant 1st Source such as and further relief to which it may be entitled.

Dated: July 25, 2023

HAYNES AND BOONE, LLP

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**ATTORNEYS FOR 1ST SOURCE
BANK**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on July 25, 2023, a true and correct copy of the foregoing document was served (i) by electronic mail on the parties listed below, and (ii) by electronic mail to the parties registered or otherwise entitled to receive electronic notices in this case pursuant to the Electronic Filing Procedures in this District.

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/s/ Jarom J. Yates
Jarom J. Yates